

Remarks/Arguments

The Examiner has objected to claims 9 and 12 on the ground that they “ ... depend from claim 2 and state that the means from for moving the object holder include a loop and pulley system, but claim 2 requires the means for moving the object holder comprise a rack and pinion type moving system. “

The Examiner has apparently misunderstood both the invention and the grammar of the claims. The invention includes means for moving the object holder in **three** directions **x, y and z**, not just one. Claim 2 states that a means for moving the object holder in the **z** direction **comprises** a rack and pinion. Claim 2 is **not** restricted to a particular means for movement in the x or y directions or the inclusion of additional means in the z direction. The objection should be withdrawn.

The Examiner has rejected Claims 2-7 and 17 under 35 U.S.C. §102(b) as being anticipated by Hodgson, U.S. Patent 4,911,543.

The intent of original claim 2, and original claim 3-7 and 17 that depend therefrom, was that the knobs of the x-y control “...intersect a rotational axis of the rotatable focusing knob ... “ To the extent that the intent of the original claim may not have been clear, the claim has now been amended to make it clear that the means for moving the object holder comprises an x-y control having coaxial x and y control knobs, and that the x-y control is mounted so that a rotational axis of the x and y control knobs intersect a rotational axis of the rotatable focusing knob of the microscope, when the optical path passes through a center of a specimen holding area of the object holder.

Hodgson neither discloses nor suggests any such structure or its results, i.e. permitting one hand operation of x, y, and z control knobs, under either 35 U.S.C. 102 or 35 U.S.C. 103.

Hodgson actually teaches away from such an apparatus in that the x and x control knobs are widely separated and certainly not coaxial. Further, there is no possibility that the axes of both the x and y control knob can intersect the rotational axis of the focusing knob and certainly not at a position where the optical path passes though the specimen holding area.

The rejection must clearly be withdrawn.

The Examiner has also rejected Claims 8-15 under 35 U.S.C. §103(a) as being unpatentable over Hodgson, U.S. Patent 4,911,543 in view of Aihara et al., U.S. Patent 5,906,148.

These claims all depend from Claim 2 and are patentable over Hodgson, U.S. Patent 4,911,543 under both 35 U.S.C. 102 and 103 for the same reasons that Claim 2 is patentable as previously discussed. It is clear that these claims are unobvious to one skilled in art under 35 U.S.C. 103 in view of Hodgson. Aihara et al. does nothing to cure the critical defects of Hodgson. It is clear that Aihara et al. discloses absolutely nothing concerning an x-y control having coaxial x and y control knobs, and that the x-y control is mounted so that a rotational axis of the x and y control knobs intersect a rotational axis of the rotatable focusing knob of the microscope, when the optical path passes through a center of a specimen holding area of the object holder. As in Hodgson, Aihara et al. actually teaches away from the present invention. It is thus clear that this combination of references does not and cannot render the presently claimed invention obvious to one skilled in the art under 35 U.S.C. 103.

The rejection should be withdrawn.

Conclusion

Applicant respectfully submits that all pending claims are now in condition for allowance, which action is courteously requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael L. Dunn", followed by a horizontal line.

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